

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION
CASE NUMBER: 4:18-cv-03544-RBH**

In the Matter of the Complaint of Sagepost, LLC, an Owner of a 1996 Premium 28' Parasail Boat, and Sage Sailing, Inc., d/b/a Ocean Watersports, an Owner of a 2009 Sea Doo GTI 130 and a Maxxon Inflatable Boat, and an Owner Pro Hac Vice of a 1996 Premium 28' Parasail Boat, for Exoneration from or Limitation of Liability,

Petitioners.

**ORDER APPROVING AD INTERIM
STIPULATION FOR VALUE AND COSTS
AND ISSUING A NOTICE AND
INJUNCTION**

WHEREAS, the petitioners, Sagepost, LLC, and Sage Sailing, Inc., d/b/a Ocean Watersports (the "Petitioners"), have filed in this Court a Complaint for Exoneration from or Limitation of Liability pursuant to 46 U.S.C. §§ 30501–30512 and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims, and also contesting liability independently of the limitation of liability claim under such statutes, treaties, and/or codes for any and all losses, damages, injuries, or destruction allegedly resulting from the casualty described in the Petition (*See* ECF No. 1); and

WHEREAS, Petitioners having deposited with the Court for the benefit of claims an Ad Interim Stipulation for Value and Costs for the value of the Petitioners interest in the Vessels, as fixed by the Court in the amount of \$85,250.00 plus 6% interest per annum, be and hereby is accepted as adequate security and is approved as to form and content.

NOW, THEREFORE, this Honorable Court Orders and Adjudges that:

1. The Ad Interim Stipulation for Value and Costs shall stand as a stipulation for value and an appraisal by a Commissioner will not be required; and

2. That a Notice shall be issued out of this Court against all persons or entities claiming damage for any and all loss, destruction, damage, injuries, or death caused by or resulting from the causality set forth in the Complaint, requiring them to file their claims with the Clerk of the United States District Court for the District of South Carolina, Florence Division, on or before the date so fixed in the Notice, which shall not be less than 30 days after the issuance of the Notice, and to serve on Petitioners' attorneys, E. Raymond Moore, III, Esquire, and Jeffrey C. Kull, Esquire, of Murphy & Grantland, P.A., 4406B Forest Drive, Columbia, South Carolina, 29206, a copy thereof, or be defaulted and if any claimant desires to contest Petitioners' right to exoneration from or limitation of liability, claimant shall file and serve Petitioners' attorneys an Answer to the Complaint on or before such date in this Court or be defaulted. A copy of said Notice approved by this Court is attached hereto as Exhibit A; and

3. That the Notice shall be given by publication as required by Supplemental Rule F for Certain Admiralty and Maritime Claims, once per week for four consecutive weeks in the The Sun Newspaper prior to the date fixed for filing of claims, and that not later than the second weekly publication, a copy of such notice be mailed by the Petitioners to every person or entity known to have a claim against Petitioners arising out of the accident referenced in the Complaint including the four individuals named in the Complaint; and

4. Enjoin the further prosecution of any action, suit, or proceeding, and the commencement of any and all actions, suits, or proceedings, of any nature or description whatsoever, in any jurisdiction, against the Petitioners or the Vessels subject to the matter in question as described in the Complaint.

[SIGNATURE PAGE TO FOLLOW]

IT IS SO ORDERED.

Florence, S.C.
February 12, 2019

s/R Bryan Harwell
HONORABLE R. BRYAN HARWELL
UNITED STATES DISTRICT JUDGE